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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/693,662	10/24/2003	David Arthur Hubbard	MDSV:006US	9621

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David D. Bahler, Esq.
FULBRIGHT & JAWORSKI, L.L.P.
Suite 2400
600 Congress Avenue
Austin, TX 78701

EXAMINER

PAPE, ZACHARY

ART UNIT	PAPER NUMBER
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2835

DATE MAILED: 01/13/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/693,662	Applicant(s) HUBBARD, DAVID ARTHUR	
	Examiner Zachary M. Pape	Art Unit 2835	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 10/24/2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-104 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 13, 14, 27, 28, 30, 67, 68, 81, 82 and 85 is/are allowed.
- 6) ☒ Claim(s) 1-12, 15-26, 29, 31-66, 69-80, 83, 84 and 86-104 is/are rejected.
- 7) ☒ Claim(s) 98 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 6/1/2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>10242003</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Objections

1. Claim 98 is objected to for the following minor informalities: the phrase "claim 96, the port replicator" lacks antecedent basis. It appears the phrase should be changed to, "claim 97, the port replicator". Claim 96 has been treated on the merits of the anticipated changes as described herein.

Specification

2. Applicant is reminded of the proper language and format for an abstract of the disclosure.

The abstract should be in narrative form and generally limited to a single paragraph on a separate sheet within the range of **50 to 150 words**. It is important that the abstract **not exceed 150 words** in length since the space provided for the abstract on the computer tape used by the printer is limited. **The present length of the abstract is 157 words.**

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

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4. Claims 1-12, 15-26, 29, 31-66, 69-80, 83-84 rejected under 35 U.S.C. 103(a) as being unpatentable over Ruch et al. (Patent # 6,185,094) in view of Yin et al. (Patent # 6,583,984) and further in view of Yanagisawa et al. (Patent # 5,805,412). With respect to claims 1, 32, and 44, Ruch et al. teaches the use of a stand (Fig 4, comprising 12 and 14) adapted to support a portable device in a substantially vertical orientation (Column 4, Lines 3-4) the portable device having a desktop portion and a display portion (portable computer - 18, Column 4, Line 1), the stand comprising a base (Fig 4, 58, 60, 62, 64, 66), an anchor (docking station 12) movably coupled to the base to form a recess (Fig 4, the space between 24 and 76) between the anchor (12) and the base (Fig 4, member 76), the anchor formed to engage the portable device when the desktop portion of the portable device is disposed in the recess of the base (Column 4, Lines 25 – 33),

A support (Fig 4, 70) moveably coupled to said base (Column 5, Lines 16-21), the support moveable to extend upward from the base (as illustrated in Figs 2 and 3) for holding the desktop portion of the portable device (Element 70 actively holds the desktop portion of the portable computer 18 against anchor portion 12 as illustrated in Fig 6),

Ruch et al. fails to teach the use of a transmitter and a receiver as well as the use of an electrical connector. Yin et al. teaches the use of a transmitter and a receiver housed in a docking station coupling at least one wireless peripheral device and a portable device disposed in the recess of the base (Yin: Column 5, Lines 20-26). Yanagisawa et al. further teaches the use of an electrical connector (200 and 300) for

providing a communication path between at least one peripheral device and a portable device disposed in the recess of the base (Yanagisawa: Column 2, Lines 25-27). It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the wireless transceiver of Yin with the docking station of Yanagisawa et al. and the stand (comprising the docking station 12, the base 58, 60, etc., and the support 70) of Ruch et al. to further expand the capabilities (either in a wired or wireless manner) of the combination stand and computer of Ruch et al. by allowing the stand to communicate with peripheral devices such as a keyboard, mouse, etc.

With respect to claims 33, 34, 45, and 46, it is well known in the art at the time the invention was made that a wireless computing device contain a transmitter and a receiver capable of receiving signals simultaneously as RF in a computer application requires low power to operate, and is omni-directional.

With respect to claims 36, 38, 48 and 50, it is well known in the art at the time the invention was made that a wireless computing device utilize an infrared transmitter and receiver adapted to receive signals simultaneously from two devices as Infrared offers a natural resistance to eavesdropping due to the signals being confined within the immediate surrounding structure.

With respect to claims 39 and 51, Yin et al. further teaches that the wireless transmitter and receiver be incorporated into the trunk (315) and Yanagisawa et al discloses a connector (221) for connecting the portable device to the docking station. It would be obvious to one of ordinary skill in the art at the time the invention was made to have some means of connecting the wireless transmitter and receiver of Yin et al. to the

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electrical cable through connector (221) and ultimately into the portable device such that the wireless transmitter and receiver is able to transfer incoming data to the portable device. Such a system is inherently part of a docking station.

With respect to claims 40-42, and 52-54, both Yanagisawa et al. and Ruch et al. illustrate the use of a connector but fail to describe the type of connector used. The use of a USB port (and subsequently its cable), a parallel port (and subsequently its cable), or a serial port (and subsequently its cable) are all well known connectors and cables in the art. The use of such connectors and cables provide reliable high speed data transfer.

With respect to claims 43 and 55 Yin et al. further teaches the use of a wireless keyboard, or a wireless mouse as one of the peripheral devices capable of connecting to its wireless system. (Column 5, Lines 24-26)

With respect to claims 2 and 56, Yanagisawa et al. further teaches that electrical connector (200, 300) comprises a port replicator (200).

With respect to claims 3 and 57, Yanagisawa et al. further teaches that the port replicator consists of a parallel port, serial port, etc. (Fig 5)

5. Claims 4, 5, 18, 19, 58, 59, 72, and 73 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ruch et al. in view of Yin et al. and further in view of Yanagisawa et al. as applied above (present office action paragraph 4), and in further view of Bovio et al. (Patent # 6,046,571). Yanagisawa et al. further teaches that the electrical connector/detachable module (200) comprises a hub (Fig 5) but fails to teach that the hub contains a USB port. Bovio et al. teaches the use of a computer docking

station that utilizes a USB port (Bovio: Fig 1, 144). It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the USB port of Bovio et al. with the electrical connector/detachable module (200) of Yanagisawa et al. as USB provides a reliable, high speed method to transfer data.

With respect to claims 6, 7, 60 and 61, Yanagisawa et al. further teaches that the electrical connector (element 300) comprises an external media bay (Fig 6, labeled "media bay"), and further teaches that such a bay may contain a CD-ROM and a floppy drive (Yanagisawa: Column 8, Lines 43-44).

With respect to claims 8, 62, Yanagisawa et al. further teaches the use of a connector (221) and a subsequent cable (internally) for coupling the desktop portion of the portable device.

With respect to claims 9-11, 63-65, Yanagisawa et al. teaches the use of a connector (221) but fails to describe the type of connector used. The use of a USB port (and subsequently its cable), a parallel port (and subsequently its cable), or a serial port (and subsequently its cable) are all well known connectors and cables in the art. The use of such connectors and cables provide reliable high speed data transfer.

With respect to claim 12 and 66, Yanagisawa et al. discloses that electrical connector (221) and subsequent cable comprise a power cable adapted to power the portable device. (Yanagisawa: Column 13, Lines 37-42).

With respect to claims 15 and 69, Yanagisawa et al. discloses that the electrical connector (200, 300) is a combination of a first docking unit (200), and a second docking unit (300), each such unit can be disconnected from the other as desired by the

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user (Yanagisawa: Column 4, Lines 41-54). Detachable unit 300 provides a communication path (connector 321) between at least one peripheral device and the portable device.

With respect to claims 16, and 70, Yanagisawa et al. discloses that the at least one detachable module (200) comprises a port replicator. (Parts as shown in Fig 5)

With respect to claims 17 and 71, Yanagisawa et al. discloses that the port replicator consists of a parallel port, a serial port etc. as illustrated in figure 5.

With respect to claims 20, 21, 74 and 75, Yanagisawa et al. further discloses that the at least one detachable module (300) comprises an external media bay (Fig 6, labeled "media bay"), and further teaches that such a bay may contain a CD-ROM and a floppy drive (Yanagisawa: Column 8, Lines 43-44).

With respect to claims 22 and 76, Yanagisawa et al. further discloses that the detachable module (200) comprises a connector (221, and subsequently its cable) capable of carrying electric current for coupling to the desktop portion of the portable device. (Yanagisawa: Column 13, Lines 37-42)

With respect to claims 23-25 and 77-79, Yanagisawa et al. teaches the use of a connector (221) but fails to describe the type of connector used. The use of a USB port (and subsequently its cable), a parallel port (and subsequently its cable), or a serial port (and subsequently its cable) are all well known connectors and cables in the art. The use of such connectors and cables provide reliable high speed data and electrical transfer.

With respect to claims 26 and 80, Yanagisawa et al. teaches the use of an electrical connector (and subsequently its cable) (Fig 5, 237) adapted to supply power to the portable device

With respect to claims 29 and 84, Ruch et al. further illustrates in figure 6 that the portable device is supported at an angle between 60° and 90° relative to the base.

With respect to claims 31 and 83, Yin et al. further teaches the use of a wireless keyboard, or a wireless mouse as one of the peripheral devices. (Column 5, Lines 24-26)

6. Claims 35 and 47 rejected under 35 U.S.C. 103(a) as being unpatentable over Ruch et al. in view of Yin et al. and further in view of Yanagisawa et al. as applied above (present office action paragraph 4) and in further view of Bodenmann et al. (Patent # 6,078,789). Ruch et al., Yin et al., and Yanagisawa et al. teach the limitations to claim 44 as applied above, but fail to teach that the transmitter and receiver operate at a frequency between 27 MHz and 916.5 MHz. Bodenmann et al. teaches that an RF frequency preferably be on the order of 27 MHz or 916.5 MHz (Bodenmann: Column 6, Lines 10-12). It would have been obvious to one of ordinary skill in the art at the time the invention was made to further modify claim 45 above with the RF range of Bodenmann et al. as such frequencies are preferable for use in an RF device and conforms to worldwide standards and regulations.

7. Claim 37 and 49 rejected under 35 U.S.C. 103(a) as being unpatentable over Ruch et al. in view of Yin et al. and further in view of Yanagisawa et al. as applied above (present office action paragraph 4) and in further view of Taglione et al. (Patent #

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5,966,225). Ruch et al., Yin et al., and Yanagisawa et al. teach the limitations to claim 44 above but fail to teach that the transmitter and receiver operate at a frequency between 850nm and 950nm. Taglione et al. teaches that an infrared frequency for communications is typically on the range of 850nm to about 950nm. (Column 3, Lines 29-34) It would have been obvious to one of ordinary skill in the art at the time the invention was made to further modify claim 48 (and subsequently claim 44) above with the IRDA range of Taglione et al. as such a range of wavelength is naked to the human eye.

8. Claims 86-104 rejected under 35 U.S.C. 103(a) as being unpatentable over Ruch et al. (Patent # 6,185,094) in view Yin et al. (6,583,984) and in further view of Yanagisawa et al. (Patent # 5,805,412). With respect to claims 86, 92, and 96 Ruch et al. teaches the use of a stand comprising a base (Fig 4, 58, 60, 62, 64, 66), an anchor (12) movably coupled to the base to form a recess (Fig 4, the space between 24 and 76) between the anchor (12) and the base (Fig 4, member 76), for engaging the desktop portion in the recess of the base (Column 4, Lines 25 – 33),

A support (Fig 4, 70) moveably coupled to the base for holding the desktop portion of the portable device (Column 4, Lines 58-64), interposing the desktop portion of a portable device in the recess for ergonomically positioning the portable device, and moving the anchor relative to the base to support the portable device within the recess (Column 4, Lines 34-35)

Ruch et al. fails to teach the use of a transmitter and receiver or an electrical connector. Yin et al. teaches the use of a transmitter and a receiver housed in a

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docking station coupling at least one wireless peripheral device and a portable device disposed in the recess of the base (Yin: Column 5, Lines 20-26). Yanagisawa et al. further teaches the use of an electrical connector (200 and 300) for providing a communication path between at least one peripheral device and a portable device disposed in the recess of the base (Yanagisawa: Column 2, Lines 25-27). It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the wireless transceiver of Yin with the docking station of Yanagisawa et al. and the stand (comprising the docking station 12, the base 58, 60, etc., and the support 70) of Ruch et al. to further expand the capabilities (either in a wired or wireless manner) of the combination stand and computer of Ruch et al. by allowing the stand to communicate with peripheral devices such as a keyboard, mouse, etc.

With respect to claims 87 and 97, Yanagisawa et al. further discloses that the electrical connector comprises a port replicator (Fig 5 200) for communication between at least one peripheral device coupled to the port replicator (200) and the portable device. (Yanagisawa: Column 5, Lines 32-47)

With respect to claims 88 and 98, Yanagisawa et al. further teaches that the port replicator (200) is housed in a detachable module for attaching to the stand (Yanagisawa: Column 4, Lines 41-54) further providing a communication path (221) between at least one peripheral device coupled to the detachable module and the portable device.

With respect to claims 89 and 99, Yanagisawa et al. further teaches that the electrical connector (200, 300) comprises a hub (200) for communicating between at

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least one peripheral device coupled to the hub and the portable device supported within the recess.

With respect to claims 90 and 100, Yanagisawa et al. further teaches that the hub(200) is housed in a detachable module for attaching to the stand (Yanagisawa: Column 4, Lines 41-54) further providing a communication path (221) between at least one peripheral device coupled to the detachable module and the portable device.

With respect to claims 91 and 104, Yanagisawa et al. further discloses that the detachable module (200) comprises a connector (and subsequently its cable) capable of carrying electric current (221) for coupling to the desktop portion of the portable device. (Yanagisawa: Column 13, Lines 37-42)

With respect to claims 93 and 101, it is well known in the art at the time the invention was made that a wireless computing device utilize an infrared transmitter and receiver adapted to receive signals simultaneously from two devices as Infrared offers a natural resistance to eavesdropping due to the signals being confined within the immediate surrounding structure.

With respect to claims 94 and 102, it is well known in the art at the time the invention was made that a wireless computing device contain a transmitter and a receiver capable of receiving signals simultaneously as RF in a computer application requires low power to operate, and is omni-directional. Additionally Yin et al. teaches that the transmitter and receiver communicate with at least one wireless peripheral device (Yin: Column 5, Lines 22-26).

With respect to claims 95 and 103, Yin et al. further teaches that the wireless transmitter and receiver be incorporated into the trunk (315) and Yanagisawa et al discloses a connector (221) for connecting the portable device to the docking station. It would be obvious to one of ordinary skill in the art at the time the invention was made to have some means of connecting the wireless transmitter and receiver of Yin et al. to the electrical cable through connector (221) and ultimately into the portable device such that the wireless transmitter and receiver is able to transfer incoming data to the portable device. Such a system is inherently part of a docking station.

Allowable Subject Matter

9. Claims 13, 14, 27, 28, 30, 67, 68, 81, 82, 85 objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

10. The following is an examiner's statement of reasons for allowance: With respect to claims 13, 27, 67, and 81, the claims recite that the at least one electrical cable is routed up the support of the stand. These limitations in combination with all remaining limitations of claims 13, 27, 67, and 81 are believed to render the subject matter allowable over the art of record.

11. With respect to claims 14, 28, 68, and 82, the claims recite that a motor is mounted on the at least one detachable module to extend the support from the base and coupled to move the anchor relative to the base. These limitation in combination

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with all remaining limitations of claims 14, 28, 68, and 82 are believe to render the subject matter allowable over the art of record.

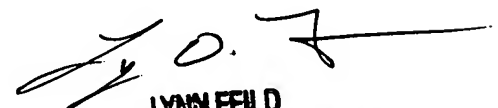
12. With respect to claims 30, and 85, the claims recite that the plane of the desktop portion be in the range of between 160° and 195° when the portable device is disposed in the recess. These limitations in combination with all remaining limitations of claims 30, and 85 are believed to render the subject matter allowable over the art of record.

Conclusion

13. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Zachary M. Pape whose telephone number is 571-272-2201. The examiner can normally be reached Mon. - Thur. & every other Fri. (8:00am - 5:00pm).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Lynn Feild can be reached at 571-272-2092. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



LYNN FEILD
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2800